

REMARKS

In response to the Office Action dated July 29, 2004, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

In the Office Action, the drawings were objected to under 37 CFR 1.83(a) because, as stated in the Office Action, “the feature of the cross-sectional geometry of the axial passageway through the first end portion increasing linearly in area in a direction away from the second end portion as claimed in claim 14 must be shown or the feature(s) canceled from the claim(s).” *See* Office Action, page 2. Applicants have herein canceled claim 14 without conceding the correctness of the objection.

In the Office Action, claims 1-3 and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,000,043 to Scism (“Scism”). Claim 11 was rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,548,760 to Stout (“Stout”). Claims 4-19 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over various combinations of Scism, Stout, U.S. Application No. 2003/0230343 to Phipps, U.S. Patent No. 5,661,263 to Salvaggio, and U.S. Patent No. 5,713,700 to Vogelsgang (“Vogelsgang”). Applicants have herein amended independent claims 1 and 11 and have canceled claims 9, 14, 18, and 20 without prejudice. Applicants respectfully traverse the rejection as follows.

Applicants have herein amended independent claims 1 and 11 to include the features formerly recited in dependent claims 9 and 18, respectively. In particular, Applicants have specified that the devices of claims 1 and 11 include an axial passageway that has a coating of a

dry film lubricant. Dependent claim 9 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Scism in view of Vogelsgang and dependent claim 18 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Scism in view of Stout and further in view of Vogelsgang. In particular, the Examiner stated that “Vogelsgang discloses a cable system comprising a dry film of lubricant (8) being provided on an axial passageway.” *See Office Action*, pages 9 and 13.

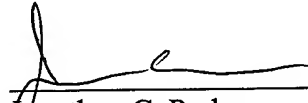
Applicants submit that Vogelsgang does not teach or suggest, among other things, the use of a dry film lubricant. Instead, Vogelsgang discloses a conduit 2 that “is unitarily formed of a durable thermoplastic synthetic resin.” *See Vogelsgang*, col. 6, lines 54-58. When a cable is pushed or pulled through the conduit 2 “at such a speed as to heat or fuse the crests or outer edges of the contact zone K ... 8 ... a lubricant effect [is produced] that works so long as the cable is being pulled through the conduit, but that disappears, leaving the conduit dry, once the cable is in position.” *See id.*, col. 7, lines 51-64. Thus, the reference numeral 8 in Vogelsgang represents a contact zone and not a dry film lubricant. In fact, Applicants submit that no lubricant is added to the conduit of Vogelsgang but rather heat causes the contact zone 8 to display lubricating characteristics.

In view of the foregoing, Applicants submit that independent claims 1 and 11, and dependent claims 2-8 and 10, and 12-13, 15-17 and 19, which depend therefrom, respectively, are in condition for allowance.

CONCLUSION

Applicants respectfully request a Notice of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,



Jonathan C. Parks
Registration No. 40,120

Attorney for Applicants

KIRKPATRICK & LOCKHART, LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222

Telephone: (412) 355-6288
Fax: (412) 355-6501